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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,438	01/23/2004	Andrew M. Hatch	HSTI 0135 PUS1/H50006AHST	6831
35312 7590 08/16/2011 BROOKS KUSHMAN P.C./ HENKEL CORPORATION 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075-1238			EXAMINER DOUYON, LORNA M	
			ART UNIT 1761	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/763,438

Applicant(s)

HATCH ET AL.

Examiner

LORNA M. DOUYON

Art Unit

1761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-9, 14, 16, 17, 80, 81, 84, 85, 88, 89, 92-94, 98, 99 and 101-112 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 99 and 104 is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-9, 14, 16, 17, 80, 81, 84, 85, 88, 89, 92-94, 98, 101-103 and 105-112 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 30, 2011 has been entered.
2. Claims 1-4, 7-9, 14, 16-17, 80-81, 84-85, 88-89, 92-94, 98-99, 101-112 are pending. Claims 5, 6, 10-13, 15, 18-79, 82-83, 86-87, 90-91, 95-97 and 100 are cancelled. Claims 14 and 92 are currently amended. Claims 104-112 are newly added.
3. The rejection of claims 4 (should have been claim 14 as recognized by Applicants), 10, 86 and 92 under 35 U.S.C. 112, second paragraph is withdrawn in view of Applicants' amendment.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 109 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation "the composition is substantially free of solvent" is nowhere supported in the specification and is therefore considered as new matter.

6. Claim 105 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "further consisting of" in line 1 is not consistent with the "consisting of" language of claim 104, to which this claim is dependent upon. Please note that claim 104 is limited to ingredients A, B and C and cannot "further consists of" other ingredients in dependent claims. It is suggested that components D and E of claim 105 be incorporated into claim 104 as optional ingredients, and state in claim 105 that components D and E are present in the composition.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1-4, 7-9, 14, 16-17, 80-81, 84-85, 88-89, 92-94, 98, 103, 107, 109-112 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (US Patent No. 6,214,777), hereinafter "Li".

Li teaches a lubricant composition which is used to treat or lubricate containers (see col. 1, lines 8-10), like aluminum cans (see col. 8, line 66), which comprises neutralizing agents, surfactants, water and water-conditioning agents (see col. 6, lines 41-43). Useful neutralizing agents are present in an amount to adjust the pH of the composition to a range of about 3 to about 9.5 (see col. 6, lines 55-57). Suitable surfactants include nonionic surfactants (see col. 6, lines 59-67). Particularly suitable nonionic surfactants are the alkoxyated alcohols having the general formula $R^{10}O((CH_2)_mO)_n$ wherein R^{10} is an aliphatic group having from about 8 to about 24 carbon atoms, m is a whole number from 1 to about 5, and n is a number from 1 to about 40 which represents the average number of ethylene oxide groups on the molecule (see col. 7, lines 18-25), and can be used in an amount of about 0.5 to about 30 percent by weight of the composition (see col. 7, lines 26-30). Other surfactants include ethoxylated alkylphenols and polyoxyalkylene oxide block copolymers (see col. 7, lines 1-17). Generally, the total surfactant concentration ranges from about 1 wt% to 50 wt%, and one or more surfactants can be used (see col. 7, lines 50-53). The lubricant composition also generally includes a carrier, preferably water (see col. 7, lines 54-57). While Li teaches that is possible to use a water-soluble solvent such as alcohols and polyols (see col. 7, lines 57-60), such solvents are not required. Since the lubricant composition has high detergency and is non-corrosive, it can also be applicable to

various cleaning applications such as in dishwasher agents and car washes, and other applications requiring these properties (see col. 9, lines 19-22). Li, however, fails to specifically disclose a cleaning composition having a water-break-free percent from 84% to 100% as required in claims 1 and 98, or from 67% to 100% as required in claim 80; a composition comprising an ethoxylate of an alcohol having a formula wherein the linear alcohol ethoxylate has an alkyl group and ethoxy group as those recited, and another nonionic surfactant in amounts as those recited, the cloud point, pH, millivolt value and aluminum dissolution rate of the composition as those recited.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to reasonably expect the composition of Li to have a similar water-break-free percent as those recited because similar ingredients have been utilized.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have prepared a composition comprising a combination of nonionic surfactants in their optimum proportions wherein one contains a 40 mole ethoxy group, and another with a lower ethoxy group because it is taught by Li at col. 7, lines 52-53 that one or more surfactants may be used, and to optimize the ethylene oxide and alkyl groups of the nonionic surfactants because it has been held to be obvious to select a value in a known range by optimization for the best results. As to optimization results, a patent will not be granted based upon the optimization of result effective variables when the optimization is obtained through routine experimentation unless there is a showing of unexpected results which properly rebuts the *prima facie* case of obviousness. See *In re Boesch*, 617 F.2d 272, 276, 205 USPQ 215, 219 (CCPA

1980). See also *In re Woodruff*, 919 F.2d 1575, 1578, 16 USPQ2d 1934, 1936-37 (Fed. Cir. 1990), and *In re Aller*, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955).

With respect to the water-break-free percent, cloud point, millivolt value and aluminum dissolution rate of the composition, it would have been obvious to one of ordinary skill in the art at the time the invention was made to reasonably expect said properties to be within those recited because similar ingredients have been utilized. "Products of identical composition can not have mutually exclusive properties." A chemical composition and its properties are inseparable. Therefore, if the prior art teaches the identical chemical structure, the properties applicant discloses and/or claims are necessarily present. *In re Spada*, 911 F.2d 705, 709, 15 USPQ2d 1655, 1658 (fed. Cir. 1990). See MPEP 2112.01 II.

With respect to the pH of the composition, the word "about" permits some tolerance. At least about 10% was held to be anticipated by a teaching of a content not to exceed about 8%, see *In re Ayers*, 154 F.2d 182, 69 USPQ 109 (CCPA 1946). A pressure limitation of 2-15 pounds per square inch was held to be readable on a reference which taught a pressure of the order of about 15 pounds per square inch, see *In re Erickson*, 343 F.2d 778, 145 USPQ 207 (CCPA 1965). Hence, the lower pH limit of about 3 of Li may be considered to read on pH less than 2 of the present claims. In the alternative, a *prima facie* case of obviousness exists where the claimed ranges and prior art ranges do not overlap but are close enough that one skilled in the art would have expected them to have the same properties, see *Titanium Metals Corp. of America v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985). See MPEP 2144.051.

9. Claims 1-4, 7-9, 14, 16-17, 80-81, 84-85, 88-89, 92-94, 98, 101-103, 107-112 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yianakopoulos (US Patent No. 5,462,697).

Yianakopoulos teaches a cleaning composition for cleaning hard surfaces, such as metal surfaces (see col. 3, line 51) in the form of a dilute oil-in-water microemulsion which comprises about 0.1 to about 15% of a water-mixable nonionic surfactant, 1% to 10% of at least one organic acid cosurfactant, 0.4% to 10.0% of a perfume or water insoluble hydrocarbon, and 10% to 85% of water, said proportions being based upon the total weight of the composition (see col. 4, lines 3-23; 40-52; col. 8, lines 27-29). The nonionic surfactant includes the condensation products of a higher alcohol (e.g., an alkanol containing about 8 to 18 carbon atoms in a straight or branched chain configuration) condensed with about 5 to 30 moles of ethylene oxide (see col. 8, lines 47-51). Yianakopoulos also teaches that the acidic all purpose hard surface cleaning composition comprises approximately 0.1% to 30 wt% of at least one surfactant selected from the group consisting of nonionic surfactants and anionic surfactants (see col. 4, lines 43-45, col. 15, lines 64-67). Examples of different nonionic surfactants are disclosed in col. 8, line 27 to col. 9, line 67, and one example is ethylene oxide-propylene oxide condensates of primary alcohols. The pH of the microemulsion cleaner is usually 1-5, preferably 1-4, and more preferably 1.5-3.5 (see col. 14, lines 60-62). The cleaning composition may also contain other components like pH adjusting agents such as sulfuric acid, as needed (see col. 14, lines 25-28; 34-35). The compositions are

directly ready for use or can be diluted if desired and in either case, substantially no residue or streaks are left behind (see col. 14, lines 49-52). Yianakopoulos, however, fails to specifically disclose (1) a cleaning composition comprising a nonionic wherein the ethoxylate of an alcohol has 12 to 80 carbon atoms and 20 to 80 mole ethoxylate or 12 to 35 carbon atoms and 10-41 mole ethoxylate, and another nonionic surfactant different from the first, as required in the independent claims; (2) a cleaning composition having a water-break-free percent from 84% to 100% as required in claims 1 and 98, or from 67% to 100% as required in claim 80; (3) a cleaning composition which is capable of cleaning an exterior wall of an aluminum can such that the percent of total surface area of the exterior wall which supports a continuous film of water is greater than 50% after the aluminum can is cleaned with the cleaning composition as required in claim 3; (4) the cloud point of the cleaning composition as required in claims 2 and 81; and (5) the ethoxylate of an alcohol having a mixture of straight and branched alkyl as required in claim 7; (6) the millivolt value and aluminum dissolution rate of the cleaning composition as required in claims 107, 111 and 112.

With respect to difference (1), it would have been obvious to one of ordinary skill in the art at the time the invention was made to have prepared an acidic cleaning composition comprising one nonionic surfactant wherein the ethoxylate group and alkyl group are within those recited, and another nonionic surfactant different from the first because Yianakopoulos teaches "at least one nonionic surfactants" and to select the portion of the prior art's range which is within the range of applicant's claims because it has been held to be obvious to select a value in a known range by optimization for the

best results. As to optimization results, a patent will not be granted based upon the optimization of result effective variables when the optimization is obtained through routine experimentation unless there is a showing of unexpected results which properly rebuts the *prima facie* case of obviousness. See *In re Boesch*, 617 F.2d 272, 276, 205 USPQ 215, 219 (CCPA 1980). See also *In re Woodruff*, 919 F.2d 1575, 1578, 16 USPQ2d 1934, 1936-37 (Fed. Cir. 1990), and *In re Aller*, 220 F.2d 454, 456, 105 USPQ 233, 235 (CCPA 1955). In addition, a *prima facie* case of obviousness exists because the claimed ranges "overlap or lie inside ranges disclosed by the prior art", see *In re Wertheim*, 541 F.2d 257, 191 USPQ 90 (CCPA 1976; *In re Woodruff*, 919 F.2d 1575, 16USPQ2d 1934 (Fed. Cir. 1990). See MPEP 2131.03 and MPEP 2144.05I.

With respect to difference (2), it would have been obvious to one of ordinary skill in the art at the time the invention was made to reasonably expect the composition of Yianakopoulos to exhibit a water-break-free percent within those recited because similar components having overlapping proportions have been utilized.

With respect to difference (3), it has been held that the recitation that an element is "adapted to" perform or is "capable of" performing a function is not a positive limitation but only requires the ability to so perform. The recitation of a new intended use for an old product does not make a claim to that old product patentable, see *In re Schreiber*, 44 USPQ2d 1429 (Fed. Cir. 1997).

With respect to differences (4) and (6), it would have been obvious to one of ordinary skill in the art at the time the invention was made to reasonably expect said properties to be within those recited because similar ingredients have been utilized.

"Products of identical composition can not have mutually exclusive properties." A chemical composition and its properties are inseparable. Therefore, if the prior art teaches the identical chemical structure, the properties applicant discloses and/or claims are necessarily present. *In re Spada*, 911 F.2d 705, 709, 15 USPQ2d 1655, 1658 (fed. Cir. 1990). See MPEP 2112.01 II.

With respect to difference (5), the combination of the straight and branched chains in the nonionic surfactant of Yianakopoulos (see col. 8, lines 47-51) is likely to be obvious when it does no more than yield predictable results.

10. Claim 106 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li or Yianakopoulos as applied to the above claims, and further in view of Colurciello, Jr. et al. (US Patent No. 6,559,111), hereinafter "Colurciello, Jr."

Li or Yianakopoulos teaches the features as described above. Li or Yianakopoulos, however, fails to disclose the incorporation of a fluoride component.

Colurciello, Jr., an analogous art, teaches an acidic cleaning composition for hard surfaces (see col. 2, lines 8-12) which comprises a film-forming organosilicone quaternary ammonium salts which include organosilicone derivatives of ammonium salts, for example, octyl trimethyl ammonium fluoride (see col. 2, lines 13-14; 61-64; col. 3, lines 17-18). The composition provides excellent cleaning efficacy on hard water stains or soap scum on hard surfaces, as well as providing water repellency, and soap scum and hard water stain removal benefits, and also disinfecting efficacy to hard surfaces (see col. 2, lines 47-56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated an organosilicone derivative of octyl trimethyl ammonium fluoride into the compositions of Li or Yianakopoulos because this would provide an excellent cleaning efficacy on hard water stains or soap scum on hard surfaces, as well as providing water repellency, and soap scum and hard water stain removal benefits, and also disinfecting efficacy to hard surfaces as taught by Colurciello, Jr.

11. Claim 108 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li as applied to the above claims, and further in view of Yianakopoulos.

Li teaches the features as described above. Li, however, fails to disclose a pH adjusting agent such as sulfuric acid.

Yianakopoulos, an analogous art, teaches the features as described above. In particular, Yianakopoulos teaches a pH adjusting agent such as sulfuric acid (see col. 14, lines 34-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have adjusted the pH of the composition of Li because it is known to adjust the pH of a similar composition with sulfuric acid as taught by Yianakopoulos.

Allowable Subject Matter

12. Claim 99 stands allowed for the reasons set forth in the previous office action.

13. Claim 104 is allowed. The following is a statement of reasons for the indication of allowable subject matter: None of the prior art of record teaches, discloses or suggests a cleaning composition which "consists of" the recited components.

Response to Arguments

14. Applicants' arguments filed June 30, 2011 have been fully considered but they are not persuasive.

With respect to the obviousness rejection based upon Li, Applicants argue that Li is not an analogous art because Li teaches a lubricating composition – not a cleaning composition for cleaning metal surfaces such as for cans made of aluminum and aluminum-containing alloys.

The Examiner respectfully disagrees with the above argument because in col. 9, lines 19-22, Li teaches:

Since the lubricant composition has high detergency and is non-corrosive, it can also be applicable to various cleaning applications such as in dishwasher detergents and car washes, and other applications requiring these properties.

Therefore, it is clear that Li teaches cleaning compositions for metal surfaces. In col. 5, lines 17-18, Li also teaches containers made of aluminum.

Applicants also argue that Li discloses a composition having a pH of 3 to 9.5, and claim 1 recites that the pH of the cleaning composition is less than 2.

The Examiner respectfully disagrees with the above argument because Li teaches the pH of the composition in a range of about 3 to about 9.5 (see col. 6, lines

55-57). As stated in paragraph 8 above, the word "about" permits some tolerance. At least about 10% was held to be anticipated by a teaching of a content not to exceed about 8%, see *In re Ayers*, 154 F.2d 182, 69 USPQ 109 (CCPA 1946). A pressure limitation of 2-15 pounds per square inch was held to be readable on a reference which taught a pressure of the order of about 15 pounds per square inch, see *In re Erickson*, 343 F.2d 778, 145 USPQ 207 (CCPA 1965). Hence, the lower pH limit of about 3 of Li may be considered to read on pH less than 2 of the present claims. **In the alternative**, a *prima facie* case of obviousness exists where the claimed ranges and prior art ranges do not overlap but are close enough that one skilled in the art would have expected them to have the same properties, see *Titanium Metals Corp. of America v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985). See MPEP 2144.051.

Applicants also argue that "Li" in stating that "one or more surfactants may be used" in no way shape or form makes it obvious to provide a combination of nonionic surfactants in their optimum proportions wherein one contains a 40 mole ethoxy group and the other with a lower ethoxy group, and there is no teaching in Li to provide such as "optimum combination".

As stated in paragraph 8 above, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have prepared a composition comprising a combination of nonionic surfactants in their optimum proportions wherein one contains a 40 mole ethoxy group, and another with a lower ethoxy group because it is taught by Li at col. 7, lines 52-53 that one or more surfactants may be used, and to optimize the ethylene oxide and alkyl groups of the nonionic surfactants because it has

been held to be obvious to select a value in a known range by optimization for the best results. Li teaches particularly suitable nonionic surfactants which are the alkoxyated alcohols having the general formula $R^{10}O((CH_2)_mO)_n$ wherein R^{10} is an aliphatic group having from about 8 to about 24 carbon atoms, m is a whole number from 1 to about 5, and n is a number from 1 to about 40 which represents the average number of ethylene oxide groups on the molecule (see col. 7, lines 18-25).

With respect to the obviousness rejection based upon Yianakopoulos, Applicants argue that Yianakopoulos is not a proper reference and is not analogous to the present invention. Applicants argue that Yianakopoulos teaches an all-purpose household liquid detergent (col. 1, ll.14-18) – not a cleaning composition for cleaning metal surfaces, such as for cans made of aluminum and aluminum-containing alloys.

The Examiner respectfully disagrees with the above argument because Yianakopoulos is in the same field of endeavor as the claimed invention, that is, both are directed to cleaning compositions; and further, the reference is reasonably pertinent to the problem faced by the inventors of the claimed invention, that is, the problem on streaks on cleaned surfaces (see col. 1, lines 34-37). Therefore, Yianakopoulos is an analogous art. See also MPEP 2141.01(a). In col. 3, lines 47-53, Yianakopoulos teaches cleaning hard surfaces such as metal surfaces having a shiny finish (which is construed to include aluminum or aluminum-containing alloys). Even if Yianakopoulos does not explicitly disclose “aluminum or aluminum-containing alloys”, please note that the limitation “for formed metal articles” in line 1 of each of independent claims 1, 80 and 98 is an “intended use” and is not given patentable weight.

Applicants also argue that Yianakopoulos does not disclose, teach or suggest a cleaning composition comprising an ethoxylate of an alcohol having 12 to 25 carbon atoms and 10 to 41 mole ethoxylate and another nonionic surfactant different from the first. Applicants also argue that the list of the surfactants in the reference is extensive and there is no direction from the prior art as to what is likely to succeed, particularly where Applicants' own results show that the performance of surfactants is unpredictable.

As stated in paragraph 9 above, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have prepared an acidic cleaning composition comprising one nonionic surfactant wherein the ethoxylate group and alkyl group are within those recited, and another nonionic surfactant different from the first because Yianakopoulos teaches "at least one nonionic surfactants" and to select the portion of the prior art's range which is within the range of applicant's claims because it has been held to be obvious to select a value in a known range by optimization for the best results, absent a showing of unexpected results. With respect to the unpredictable or unexpected results in Applicants' specification, in particular, Table 7 of pages 27-28, the Examiner has carefully considered the showing, however, it is not commensurate in scope with the present claims. As stated in the previous office action, there are carbon atoms with their corresponding ethoxylate groups which read on the present claims, however, the average water-break-free percentages are unsatisfactory. In particular, see lines 21-23 on pages 27, where there are 13 carbon atoms in the alcohol, the number of ethoxylates are 12, 15 and 16, respectively and on page 28, line 6, the

carbon atom in the alcohol is 14, and the number of ethoxylate is 12, and all these carbon atoms with their corresponding ethoxylates read on the required "R₁" (i.e., 12-15 carbon atoms) and "number of ethoxylates" (i.e., 10 to 41) of the present independent claims 1, 80 and 98, however, the average water-break-free percentages are unsatisfactory.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LORNA M. DOUYON whose telephone number is (571)272-1313. The examiner can normally be reached on Mondays-Fridays 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LORNA M DOUYON/
Primary Examiner, Art Unit 1761